

**Virginia Title V Operating Permit**

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Dudley Tarlton
Facility Name:	TransMontaigne Product Services Inc.
Facility Location:	3790 Pickett Road Fairfax, Virginia 22031
Registration Number:	70306
Permit Number:	NVRO-70306

September 29, 2000 (amended July 18, 2003)  
Effective Date

September 29, 2005  
Expiration Date

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Robert G. Burnley  
Director, Department of Environmental Quality

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Signature Date

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## **I. Facility Information**

### **Permittee**

TransMontaigne Product Services Inc.  
P. O. Box 5660  
Denver, CO 80218-5660

### **Responsible Official**

Dudley Tarlton  
Vice President of  
Environmental, Safety, and Occupational Health

### **Facility**

TransMontaigne Product Services Inc.  
3790 Pickett Road  
Fairfax, Virginia 22031

### **Contact Person**

Garrett Clemons  
Environmental Analyst  
(303) 626-8209

**AIRS Identification Number:** 51-059-0082

**Facility Description:** SIC Code 4226 – Facility is engaged in the receipt, storage, blending, and distribution of petroleum products and has the potential to operate 8760 hours per year. Facility operations include receipt of various petroleum products and additive components, storage of said materials, blending, and distribution of finished products. Materials may be received by both tanks truck and pipeline.

## II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Emission Unit Description	Size/Rated Capacity *	Pollution Control Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
LR-1	Truck Loading Rack - Gasoline	-	Vapor Combustion Unit	Zink VCU	Gasoline – VOC**	(all sources)  9-29-00
ST-101	Fixed roof Storage Tank	2,355,780 gal	Internal Floating Roof	-		
ST-102	Fixed roof Storage Tank	2,356,956 gal	Internal Floating Roof	-		
ST-104	Fixed roof Storage Tank	2,356,956 gal	Internal Floating Roof	-		
ST-105	Fixed roof Storage Tank	2,356,906 gal	Internal Floating Roof	-		
ST-109	Fixed roof Storage Tank	595,476 gal	Internal Floating Roof	-		
ST-110	Fixed roof Storage Tank	808,500 gal	Internal Floating Roof	-		
ST-111	Fixed roof Storage Tank	3,291,204 gal	Internal Floating Roof	-		
ST-112	Fixed roof Storage Tank	3,291,204 gal	Internal Floating Roof	-		

\* - The Size/Rated Capacity is provided for informational purposes only, and is not applicable requirement.

\*\* - VOC (volatile organic compounds)

Note: Tanks ST-111 and ST-112 are subject to 40 CFR 60 subpart K, and each is equipped with an internal floating roof with a seal to close the gap between the floating roof and the inside of the tank.

## III. Emission Unit – Tanks

### A. Limitations

1. No owner or other person shall use or permit the use of any fixed roof tank of more than 40,000 gallons capacity for storage of petroleum liquids, unless such tank is equipped with a control method which will remove, destroy, or prevent the discharge into the atmosphere of at least 90% by weight of volatile organic compound emissions. Achievement of this emission standard for gasoline storage may be satisfied by the tank being a pressure tank maintaining working pressure sufficient at all times to prevent vapor loss to the atmosphere or one of the following control systems.
  - a. An internal floating roof resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and the tank shell. All tank gauging and sampling devices should be vapor tight except when gauging or sampling is taking place. (9 VAC 5-40-5230.A.1.a)

- b. Any system of equal or greater control efficiency to the system described in Condition III.A.1.a above. (9 VAC 5-40-5230.A.b)
2. There should be no visible holes, tears or other openings in the seal or any seal fabric. (9 VAC 5-40-5230.A.2)
3. All openings, except stub drains, should be equipped with a cover, seal, or lid. The cover, seal, or lid should be in a closed position at all times, except when the device is in actual use. Automatic bleeder vents should be closed at all times except when the roof is floated off or landed on the roof leg supports. Rim vents, if provided, should be set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting. (9 VAC 5-40-5230.A.3)
4. The exterior above ground surfaces of the tanks (exposed to sunlight) should be painted white, light pastel, or light metallic and such exterior paint should be periodically maintained in good condition. Repainting may be performed during normal maintenance periods. (9 VAC 5-40-5230.A.4)
5. Tanks to which the requirements of this section apply are identified as follows:  
  
ST-101, ST-102, ST-104, ST-105, ST-109, ST-110, ST-111, ST-112
6. Fixed roof tanks storing petroleum liquids with a vapor pressure less than 1.5 pounds per square inch absolute (psia) under actual storage conditions or, in the case of filling or processing, under actual storage conditions are exempt from Rule 4-37. (9 VAC 5-40-5200.C)

#### **A. Monitoring**

1. The tanks equipped with internal floating roofs, ST-101, ST-102, ST-104, ST-105, ST-109, ST-110, ST-111, and ST-112 shall be visually inspected annually. The inspections shall be made through available roof hatches and manholes located on the fixed roofs of the tanks. The cover should be uniformly floating on or above the liquid and there should be no visible defects in the surface of the cover or liquid accumulated on the cover. The seal must be intact and uniformly in place around the circumference of the cover and seal between the cover and the tank wall. If holes or tears in the cover or seal material, or liquid are observed on the cover, the owner/operator shall empty and remove the tank from service within 45 days and make repairs as necessary. If a failure that is detected during the inspection required by this condition cannot be repaired within 45 days, or if the tank cannot be emptied within 45 days in order to make repairs, a 30 day extension may be requested from the Air Compliance Manager, Northern Virginia Regional Office. An

extension request must be made in writing and certify that alternate storage capacity is unavailable. A schedule for completing the necessary repairs must accompany such requests. (9 Vac 5-40-5220.A.4.a)

2. An inspection shall be made of the internal floating roof, the primary seal, the secondary seal (if equipped), gaskets, slotted membranes, and sleeve seals (if any) of each tank each time it is emptied and degassed and taken out of service for maintenance, an emergency, or similar purpose. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or seal fabric, or the gaskets no longer close off the liquid surface from the atmosphere, or the slotted membrane has more than 10% open area, the owner/operator shall repair the items as necessary so that none of the anomalies specified herein shall exist when the tank is refilled. These inspections are applicable to ST-101, ST-102, ST-104, ST-105, ST-109, ST-110, ST-111, and ST-112. In no case shall these inspections occur at an interval greater than 10 years. (9 VAC 5-40-5220.A.4.b and 9 VAC 5-80-100.A)
3. When a tank equipped with an internal floating roof is used as a swing tank, that is when it is used to store either gasoline or distillates, the internal floating roof and seals must be inspected annually as in Conditions III.B.1 above, and the internal floating roof and seals at least every 10 years as in Condition III.B.2. (9VAC 5-80-100.A)

Note: When a gasoline storage tank is used to store distillates, the time of the distillate storage and the emissions from such storage are unregulated. The time the roof is standing on its legs is not relevant. The time of storage, the contents and the conditions are recorded as required in Condition III.C.2.

## **B. Recordkeeping**

1. A copy of each annual inspection for each tank (Condition III.B.1), and a copy of each internal inspection (Condition III.B.2), for each tank shall be kept on site, or readily available. Both inspection reports shall contain, at a minimum, the condition, of each item of inspection, all measurements taken, particularly the seal gap measurements taken during the internal inspection, and specific details of each repair made with the date and signature of the person making the repair. (9 VAC 5-40-5220.A.4.c, 9 VAC 5-40-5310, 9 VAC 5-40-50.D, and 9 VAC 5-80-110.F.1.b)
2. A record of the product throughput for each tank, the average monthly storage temperature and the true vapor pressure for each liquid as stored

shall be kept on site on a monthly basis. (9 VAC 5-40-5220.B.4.c and 40 CFR 60.113(a) and (b) for ST-111 and ST-112)

3. A record of the annual results from the EPA TANKS model or equivalent shall be kept on site or readily available. These records shall be kept for a period of 5 years. (9 VAC 5-80-110.F)

### **C. Reporting**

1. The permittee should notify the Air Compliance Manager, Northern Virginia Regional Office, at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required. In the event that a 30 day notice does not coincide with normal operation (that is, a shorter period of time is considered normal) the Air Compliance Manager, Northern Virginia Regional Office, shall be notified by telephone at least 7 days prior to the filling/refilling of the storage vessel. (9 VAC 5-80-110.F)

## **IV. Emission Unit – Loading Rack/Vapor Combustion Unit**

### **A. Limitations**

1. No owner or other person shall cause or permit the discharge into the atmosphere from a bulk gasoline terminal (including any appurtenant equipment necessary to load the tank truck compartments) any volatile organic compound (VOC) in excess of 0.67 pounds per 1,000 gallons loaded (80 milligrams/liter loaded). The permittee has requested and is limited to an emission limit of 35 milligrams/liter loaded. (9 VAC 5-40-5220.C.1 and 9 VAC 5-80-100.A)
2. The annual throughput of gasoline through the loading rack, LR-1, shall be limited to 480,000,000 gallons of regular/conventional gasoline and 250,000,000 gallons of reformulated gasoline (RFG) calculated monthly as the sum of each 12-month period. (9 VAC 5-80-110.A and 9 VAC 5-50-110.B.1)
3. The loading rack must have a vapor collection and disposal system with the vapor collection portion meeting one of the following:
  - a. Loading should be accomplished in such a manner that all displaced vapor and air will be vented only to the vapor disposal system. Measures should be taken to prevent liquid drainage from the loading device when it is not in use or to accomplish substantially complete drainage before the loading device is disconnected;



- b. The pressure relief valves on storage containers and tank trucks should be set to release at no less than 0.7 pounds per square inch or the highest possible pressure (in accordance with the following National Fire Prevention Association Standards: NFPA 385, Standard for Tank Vehicles for Flammable and Combustible Liquids Code: NFPA 30A, Automotive and marine Service Station Code);
  - c. Pressure in the vapor collection lines should not exceed tank truck pressure relief valve settings; and
  - d. All loading and vapor lines should be equipped with fittings that make vapor tight connections which close when disconnected. (9 VAC 5-40-5230.C.2)
- 4. The vapor combustion unit shall be in operation at all times when gasoline is being loaded, and when loading distillate into tank trucks whose previous loads were gasoline. (9 VAC 5-80-100.A)
  - 5. The vapor collection and vapor disposal equipment must be designed to prevent gauge pressure in the tank truck from exceeding 18 inches of H<sub>2</sub>O and prevent vacuum from exceeding 6 inches of H<sub>2</sub>O. (9 VAC 5-40-5220.G.5)

## **B. Monitoring**

- 1. Once each calendar month during loading and/or unloading of gasoline tanker trucks, a combustible gas detector shall be used to detect volatile organic compound leakage between the tanker truck and the vapor collection system. The vapor collection system includes all piping, seals, hoses, connections, pressure-vacuum vents and other possible leak sources between the truck and the vapor disposal unit and between the storage tanks and the vapor combustion unit. There shall be no volatile organic compound concentrations detected greater than or equal to 100% of the lower explosive limit (LEL), measured as propane, at 2.5 centimeters around the perimeter of a potential leak source as detected by a combustible gas detector. (9 VAC 5-40-5300, 9 VAC 5-40-40.E.10, 9 VAC 5-40-5220.G.4, and 9 VAC 5-80-110.E)
- 2. A photoionization detector (PID) or other suitable VOC monitoring device must monitor the vapor combustion unit (VCU). It shall also be monitored for temperature. The control equipment sensors shall be located in the outlet duct or stack, and the frequency of testing shall be hourly, testing may be performed manually, or it may be continuous on a chart, or by data acquisition. The sensor shall measure total organic compounds (TOC) rather

than individual organic compounds. The equipment used shall be operated according to the manufacturer's instructions. (9 VAC 5-80-100.B)

3. The monitoring device(s) shall be certified for accuracy annually at a minimum. (9 VAC 5-80-100.B.5)

### **C. Testing**

1. The vapor combustion unit (VCU) shall be stack tested at least once per permit period within 18 months of this permit issuance. The VCU may be tested anytime upon request by the Department of Environmental Quality (DEQ). It shall be tested after a major shutdown (e.g. burnthrough, malfunction of the refrigeration unit, breakdown of the vacuum unit, or any malfunction that reduces the operation efficiency of parameters) to verify the emissions from the units remain below the 35 mg/L maximum limit. (9 VAC 5-80-110 G.2)
2. The permitted emission sources shall be constructed as to allow for emission testing at any time using appropriate methods. Upon request from the DEQ, test ports will be provided at the appropriate locations. (9 VAC 5-40-30 and 9 VAC 5-80-110.E.1)
3. When testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the test methods and procedures found at 40 CFR 60, Appendix A. Deviation from the approved test methods shall have the approval of both the DEQ and EPA. These test methods are as follows:
  - a. Method 18 – Measurement of Gaseous Organic Compound Emissions by Gas Chromatography.
  - b. Method 21 – Determination of Volatile Organic Compound Leaks
  - c. Method 25 – Determination of Total Gaseous Non-methane Organic emissions as Carbon
  - d. Method 25A – Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.
  - e. Method 27 – Determination of Vapor Tightness of Gasoline Delivery Tankers using pressure-vacuum test.

(9 VAC 5-20-121.B.1)

### **D. Recordkeeping**

1. A record of all inspections of the Loading Rack/VCU shall be kept in a log book dedicated for that purpose listing at a minimum the name of the inspector, the date of the inspection, the time, and any leak(s) detected. Any leak discovered shall be repaired within 15 days. If the leak cannot be repaired within 15 days, the Air Compliance Manager, Northern Virginia Regional Office, shall be notified. The notification shall state the circumstances of the leak and the reason the repair cannot be made within the prescribed 15 day time frame. A schedule for the repair must accompany the notification. This log book shall be available on site for inspection by DEQ, and it shall be current for the most recent 5 years. (9 VAC 5-40-5310, and 9 VAC 5-80-110.F.1)
2. A record shall be kept of the monthly leak-check-while-loading-or-unloading conducted on the tanker and loading rack fittings. These records shall be kept on site and made available on request from DEQ inspectors. These records shall be retained on site for a period of the most recent 5 years. (9 VAC 5-40-5220.G.4, 9 VAC 5-40-5310, and 9 VAC 5-80-110.F)
3. A record of each stack test, when performed as stated on Condition IV.C.1, shall be readily available and made available on request from DEQ inspectors. These records shall be retained for the most recent 5 years. (9 VAC 5-80-110.F)

## **V. Emission Unit – Cold Cleaner**

### **A. Limitations**

1. No owner or other person shall use or permit the use of any open top (cold cleaner) degreaser unless such degreaser is equipped with a control method that will remove, destroy, or prevent the discharge into the atmosphere of at least 85% by weight of volatile organic compound emissions. (9 VAC 5-40-3280.C.1)
2. Covers or enclosed remote reservoirs should be provided. Covers should be designed to be easily operated with one hand. The operation of certain covers may be of a type which is spring loaded, counterbalanced, or operated by a power system. Enclosed remote reservoirs should be designed such that they provide reductions effectiveness equivalent to a cover. (9 VAC 5-40-3290.C.1.a)
3. External or internal drainage facilities should be provided to collect and return the solvent to a closed container or a solvent cleaning machine. If solvent volatility is greater than 0.6 psi measured at 100°F, then the drainage facilities

may be external for applications where an internal type cannot fit into the cleaning system. (9 VAC 5-40-3290.C.1.b)

4. The operation procedures for the degreaser unit shall be clearly displayed by a permanent sign or label, which is located in a conspicuous location on, or near the unit. (9 VAC 5-40-3290.C.1.c)
5. If used, the solvent spray should be a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which does not cause excessive splashing. (9 VAC 5-40-3290.C.1.d)
6. Operating requirements are as follows:
  - a. The degreasser cover (if one is required) should be closed whenever not handling parts in the cleaner. (9 VAC 5-40-3290.C.2.b)
  - b. Cleaned parts should drain for at least 15 seconds or until dripping ceases. (9 VAC 5-40-3290.C.2.c)
  - c. Waste solvent should not be disposed of or transferred to another party, such that greater than 20% of the waste (by weight) can evaporate; into the atmosphere. Store waste solvent only in closed containers. (9 VAC 5-40-3290.C.2.a)
7. Disposal of waste solvent shall be by reclamation or incineration. (9 VAC 5-40-3290.D.1-2)

## **B. Monitoring**

1. The cold cleaner degreaser unit shall be inspected monthly for condition and functionality (9 VAC 5-40-40.E.1. and 2, and 9 VAC 5-80-110.E.2)

## **C. Recordkeeping**

1. The owner of a stationary source shall keep records as may be necessary to determine its emissions. Such records shall be retained on site for inspection by the DEQ. These records shall be kept for the most recent 5 years. (9 VAC 5-40-50.E and 9 VAC 5-80-110.F)
2. A log shall be kept of all inspections and servicing of the degreaser unit. (9 VAC 5-40-50.E and 9 VAC 5-80-110.F)

## **VI. Tanker Truck Certification (Vapor Tightness)**

## **A. Limitations**

1. Loading of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks.
2. The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded. (9 VAC 5-80-100.A)
3. The owner or operator shall cross-check each tank identification number with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:
  - a. If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or
  - b. If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually.
  - c. If either the quarterly or semiannual cross-check reveals that these conditions were not maintained, the facility must return to biweekly monitoring until such time as these conditions are again met.
  - d. The facility owner or operator shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the affected facility within 1 week of the documentation cross-check in Condition 3 of this section above. (9 VAC 5-170-160)
4. Alternative procedures to those described in (a) through (d) only with prior approval from DEQ and EPA. (9 Vac 5-80-100.A and 9 VAC 5-80-110.B)

## **B. Recordkeeping**

1. Tanker truck vapor tightness documentation shall be kept on file at the terminal in a permanent form available for inspection. This documentation file for each gasoline tank truck shall be updated at least once per year to reflect the current test results as determined by Method 27 of 40 CFR 60 Appendix A, or an approved substitute method. This record shall include at a minimum the following information:
  - a. Test title: Gasoline Delivery Tank Pressure Test – EPA Reference Method 27

- b. Tank owner and address
  - c. Tank identification number
  - d. Date of test
  - e. Tester name and title
  - f. Test results – initial test pressure and the time of the reading, final test pressure and the time of the reading; initial test vacuum and the time of the reading; final test vacuum and the time of the reading – each test shall be an average of 2 runs and the pressure change in 5 minutes for each run. (9 VAC 5-40-5220.G and 9 VAC 5-80-110.F.1.a-b)
2. Copies of all certification records shall immediately be made available to the DEQ upon verbal or written request, at any reasonable time. (9 VAC 5-40-5220.G.13)

## **VII. Facility Wide Conditions**

### **A. Limitations**

1. The permittee shall operate the facility in such a manner that the parameters used in the applicability equation in 40 CFR 63.420(a)(1) are not exceeded for any 30 day rolling average, as documented the results of  $E_T < 0.5$  (40 CFR 63.420(d)). The facility is exempt from the requirements of Subpart R, except that the permittee shall:
  - a. Operate the facility such that none of the facility parameters used to calculate results under paragraph (a)(1) of 40 CFR 63.420 and approved by DEQ are exceeded in any 30 day period, and
  - b. Maintain records as specified in Condition VII.D.8, below. (9 VAC 5-80-100.A and 9 VAC 5-80-110.F)
2. No owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20% opacity, except for one 6-minute period in any one hour of not more than 30% opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section. (9 VAC 5-50-80)

3. During the construction, modification, or operation phase of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. (9 VAC 5-50-90)

#### **B. Monitoring**

1. Emissions from the tanks shall be estimated by the throughput of the tanks and by the current version of the EPA TANKS model or an acceptable alternative. Such results are for emission inventory purposes. EPA and DEQ shall mutually determine acceptability of an alternative method for emissions determination. (9 VAC 5-80-110.B.5, 9 VAC 5-80-110.A.3, and 9 VAC 5-80-110.B.1)

#### **C. Testing**

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the DEQ, test ports shall be provided at the appropriate locations. (9 VAC 5-40-5290 and 9 VAC 5-80-110.K.1)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

<b>Pollutant</b>	<b>Test Method (40 CFR Part 60, Appendix A)</b>
VOC	EPA Method 18, 25, and 25a

(9 VAC 5-80-110.B.1)

#### **D. Recordkeeping**

The permittee shall maintain records of all emissions data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Air Compliance Manager, Northern Virginia Regional Office. (9 VAC 5-40-5310)

1. A record shall be kept of the throughput of the loading rack, which lists the quantity and type of each gasoline product dispensed. These records shall be kept annually and calculated monthly as the sum of each 12 month period. (9 VAC 5-80-110.F.1)

2. A record of the temperature of the VCU and the vacuum/pressure at the inlet shall be kept. This may be done either by an hourly manual check or by a continuous monitoring device that yields a 24 hour per day chart. (9 VAC 5-40-5310)
3. A record must be kept of leak test inspections made during the loading and unloading operations. (9 VAC 5-40-5310)
4. Records of malfunctions of equipment that would cause violation of any part of this permit shall be kept.
5. A record of inspection, maintenance schedules, and service records for all air pollution related equipment shall be kept.
6. A record of calculated fugitive emissions from tank degassing, losses through pumps, flanges, etc., and losses at the loading rack from tanker truck loadings shall be kept. These are annual emissions for inventory purposes.
7. A record of the calculated value of  $E_T$  (from condition VII.A.1.a) shall be kept, including methods, procedures, and assumptions supporting the calculations for determining criteria in 40 CFR 63.420(d) in order to maintain an exemption status from subpart R.
  - a. At any time following the issuance of this permit, and prior to any of the parameters being exceeded, the permittee may notify the DEQ of modifications to the facility parameters. Each such notification shall document any expected HAP emission change resulting from the change in parameters.

These records shall be readily available for inspection by the DEQ and shall be current for the most recent 5 years. The calculated values from Condition 8 of this section that determined exempt status shall be available for public inspection during normal business hours. (9 VAC 5-40-5310, 9 VAC 5-80-110.F, and 40 CFR 63.428(i))

## **E. Reporting**

1. Performance tests shall be conducted and reported and data reduced as set forth in 9 VAC 5-40-30. The details of the test are to be arranged with the Air Compliance Manager, Northern Virginia Regional Office. The owner/operator shall submit a test protocol at least 30 days prior to testing. Three copies of the test results shall be submitted to the Air Compliance Manager, Northern



Virginia Regional Office, within 45 days after test completion. Results shall also be sent to :

Chief, Air Enforcement Branch (3AT20)  
U. S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Copies of the results of tests, along with monitoring records for leak inspections as stated in Conditions IV.B, shall be retained on site or be readily available.

2. An annual report shall be made to the Air Compliance Manager, Northern Virginia Regional Office, that the facility parameters established in Conditions VII.A.1 or VII.A.2, have not been exceeded. This report may be made at the same time the annual compliance certification report required in Condition X.D is made. (9 VAC 5-10-100.A and 40 CFR 63 subpart R)

### **VIII. Insignificant Emission Units**

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant Emitted	Rated Capacity (9 VAC 5-80-720 C) (gallons)
-	Island for loading diesel trucks	9 VAC 5-40-5200 C	VOC	-
ST-103	Verticle fixed roof	9 VAC 5-40-5200 C	VOC	3,405,528
ST-106	Verticle fixed roof	9 VAC 5-40-5200 C	VOC	211,470
ST-107	Verticle fixed roof	9 VAC 5-40-5200 C	VOC	16,338
ST-108	Horizontal fixed roof	9 VAC 5-40-5200 C	VOC	4,000
ST-113	Horizontal fixed roof	9 VAC 5-40-5200 C	VOC	10,000
ST-114	Horizontal fixed roof	9 VAC 5-40-5200 C	VOC	1,000
ST-115	Horizontal fixed roof	9 VAC 5-40-5200 C	VOC	4,000
ST-116	Horizontal fixed roof	9 VAC 5-40-5200 C	VOC	
-	Cold Cleaner	9 VAC 5-80-720	VOC	-

These emission units are presumed to be in compliance with all requirements of the Federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

## IX. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of applicability
9 VAC 5-40-3410 through 3550	Emission Standards for VOC Storage and Transfer Operations	Since the provisions under petroleum liquids storage or transfer apply, and support tanks are less than 40,000 gallons capacity Article 25 does not apply (9 VAC 5-40-3410.C)
40 CFR 60, Subparts Ka and Kb Gasoline Storage Tanks	NSPS for storage vessels for petroleum liquids/volatile organic liquids	All gasoline storage tanks with exception of two* were constructed prior to June 11, 1973
40 CFR 60, Subpart XX	Standard for Performance for Bulk Gasoline Terminals	The loading rack is grandfathered and no modification has been performed on it.
40 CFR 63, Subpart R	National Emission Standards for Gasoline Distribution – Stage I	The source is exempt from the requirements of Subpart R, but must demonstrate continued exemption. Potential emissions are below 10 TPY for a single HAP, and below 25 TYP for a combination of all HAPs.
40 CFR 68	Accidental Release Prevention Requirements: Section 112 ®	Petroleum Liquids (gasoline, diesel fuel, jet fuel, etc.) are not subject to this rule.

\*Tanks ST-111 & ST-112 were constructed in 1975, 40 CFR 60, Subpart K applies.

Nothing in this permit shield shall alter the provisions of § 303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner of any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to § 114 of the federal Clean Air Act, (ii) the Board pursuant to § 10.1-1314 or § 10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to § 10.1-1307.3 of the Virginia Air Pollution Control Law. (9 VAC 5-80-140)

## X. General Conditions

**A. Federal Enforceability**

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-110 N)

**B. Permit Expiration**

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless a timely and complete renewal application, consistent with 9 VAC 5-80-80, has been submitted, to the Department, by the owner, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

### **C. Recordkeeping and Reporting**

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
  - a. The date, place as defined in the permit, and time of sampling or measurements.
  - b. The date(s) analyses were performed.
  - c. The company or entity that performed the analyses.
  - d. The analytical techniques or methods used.
  - e. The results of such analyses.
  - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as

documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

- (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

#### **D. Annual Compliance Certification**

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

#### **E. Permit Deviation Reporting**

The permittee shall notify the Director, Northern Virginia Region within four daytime business hours, after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. [Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40.] The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.  
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

#### **F. Failure/Malfunction Reporting**

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Northern Virginia Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within two weeks provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Northern Virginia Region.  
(9 VAC 5-20-180 C)

1. [The emission units that have continuous monitors subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not subject to the two week written notification.
2. The emission units subject to the reporting and the procedure requirements of 9 VAC 5-40-50 C and the procedures of 9 VAC 5-50-50 C are listed below:
  - a. Vapor Combustion Unit
3. Each owner required to install a continuous monitoring system subject to 9 VAC 5-40-41 or 9 VAC 5-50-410 shall submit a written report of excess emissions (as defined in the applicable emission standard) to the board for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter and shall include the following information:
  - a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9 VAC 5-40-41 B 6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;
  - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;
  - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
  - d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.
4. All emission units not subject to 9 VAC 5-40-50 C and 9 VAC 5-50-50 C must make written reports within 14 days of the malfunction occurrence.

(9 VAC 5-20-180 C, 9 VAC 5-40-50, and 9 VAC 5-50-50)

#### **G. Severability**

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

#### **H. Duty to Comply**

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

#### **I. Need to Halt or Reduce Activity not a Defense**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

#### **J. Permit Modification**

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios. (9 VAC 5-80-190 and 9 VAC 5-80-260)

#### **K. Property Rights**

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

#### **L. Duty to Submit Information**

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality. (9 VAC 5-80-110 G.6)



2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G. (9 VAC 5-80-110 K.1)

#### **M. Duty to Pay Permit Fees**

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

#### **N. Fugitive Dust Emission Standards**

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

([9 VAC 5-40-90] and [9 VAC 5-50-90])

**O. Startup, Shutdown, and Malfunction**

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.  
([9 VAC 5-50-20 E] and [9 VAC 5-40-20 E])

**P. Alternative Operating Scenarios**

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.  
(9 VAC 5-80-110 J)

**Q. Inspection and Entry Requirements**

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

## **R. Reopening For Cause**

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

## **S. Permit Availability**

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

## **T. Transfer of Permits**

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.  
(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200. (9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

#### **U. Malfunction as an Affirmative Defense**

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
  - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated
  - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
  - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

#### **V. Permit Revocation or Termination for Cause**

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

#### **W. Duty to Supplement or Correct Application**

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

#### **X. Stratospheric Ozone Protection**

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

#### **Y. Accidental Release Prevention**

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

## **Z. Changes to Permits for Emissions Trading**

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-110 I)

### **AA. Emissions Trading**

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

## **XI. State-Only ENFORCEABLE Requirements**

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. The requirements of this section are essentially "state only". A requirement which was not specifically addressed and not federally enforceable but not applicable to state requirement is the regulation on odorous emissions (9 VAC 5-40-130). (9 VAC 5-80-110N)